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RICHARD W. WIEKING
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NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

QUENTIN CHIANG,

Defendant.

No. 06-70351 HRL

STIPULATION AND ~~PROPOSED~~
ORDER EXCLUDING TIME

SAN JOSE VENUE

On June 16, 2006, the parties in this case appeared before the Court for an initial appearance on a criminal complaint. The defendant was informed of the charges and released on bond. The parties requested that the arraignment be scheduled for July 20, 2006 before the Honorable Judge Trumbull. The parties requested additional time in order for the government to provide discovery to defense counsel and to allow the parties to explore a pre-indictment resolution. In addition, the defendant, through Assistant Federal Public Defender Jay Rorty, agreed to an exclusion of time under Rule 5 of the Federal Rules of Criminal Procedure and the Speedy Trial Act from June 16, 2006 to July 20, 2006. The parties agree and stipulate that an exclusion of

1 time is appropriate based on the defendant's need for effective preparation of counsel.

2 SO STIPULATED:

KEVIN V. RYAN
United States Attorney

3
4 DATED: _____

/s/
SUSAN KNIGHT
Assistant United States Attorney

5
6
7 DATED: _____

/s/
JAY RORTY
Assistant Federal Public Defender

8
9 Accordingly, the Court HEREBY ORDERS that the preliminary hearing or arraignment is
10 continued to July 20, 2006 at 9:30 a.m. before the Honorable Judge Trumbull. Good cause
11 is shown and the continuance is proper under Rule 5 of the Federal Rules of Criminal Procedure
12 and 18 U.S.C. § 3060.

13 For good cause shown, the Court FURTHER ORDERS that time be excluded under the
14 Speedy Trial Act from June 16, 2006 to July 20, 2006. The Court finds, based on the
15 aforementioned reasons, that the ends of justice served by granting the requested continuance
16 outweigh the best interest of the public and the defendant in a speedy trial. The failure to grant
17 the requested continuance would deny defense counsel reasonable time necessary for effective
18 preparation, taking into account the exercise of due diligence, and would result in a miscarriage
19 of justice. The Court therefore concludes that this exclusion of time should be made under 18
20 U.S.C. §§ 3161(h)(8)(A) and (B)(iv).

21 SO ORDERED.

22
23 DATED: 6/21/06



HOWARD R. LLOYD
United States Magistrate Judge